

REMARKS

Claims 1-7 and 12-17 were pending in the present application. The pending claims have been canceled herein without prejudice to their presentation in another application and replaced with new claims 18-26, support for which can be found throughout the specification and original claims. No new matter has been added. Upon entry of the present amendment, claims 18-26 will be pending.

I. The Claimed Invention Is Not Obvious

Claims 1, 3-6, 13, and 16 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the combination of EP 474561 (U.S. equivalents, U.S. Patent No. 5,350,852 and 5,236,921) (hereinafter, the “Emonds-Alt” reference) in view of EP 0630887 (hereinafter, the “Jacobs” reference). The Office mistakenly asserts that it would have been *prima facie* obvious for one skilled in the art to make more compounds with different substituents on the rings. Applicants traverse the rejection and respectfully request reconsideration because the combination of the cited references does not produce the claimed invention.

Neither the Emonds-Alt reference nor the Jacobs reference teach or suggest the requisite substitutions of the phenyl ring at the R⁷ position and of the naphthyl ring at the R⁴, R⁵, and R⁶ positions to reproduce Applicants’ claimed invention.

Thus, the claimed invention is not obvious in view of the combination of cited references. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) be withdrawn.

II. The Claimed Invention Is Sufficiently Enabled

Claims 1, 3-6, 13, and 16 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to provide an enabling disclosure. The Office recognizes that the specification is enabling for “R4-R6 to be H, alkyl, alkoxy or cyano, and X1 and X2 to be a halogen, hydrogen...” (see, Office Action at page 7). The Office, however, mistakenly asserts that the specification is not enabling in regard to the other recited moieties. Applicants traverse the rejection and respectfully request reconsideration because one skilled in the art would be able to practice the claimed invention without being required to perform undue experimentation.

Applicants submit that the new claims are enabled such that undue experimentation is not required to make and use the claimed invention. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph be withdrawn.

III. Conclusion

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. An early notice of the same is earnestly solicited. The Office is invited to contact Applicants' undersigned representative at (610) 640-7859 if there are any questions regarding Applicants' claimed invention.

The Commissioner is hereby authorized to debit any underpayment of fee due or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

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